

#### **IC 4-32.2-4**

##### **Chapter 4. Charity Gaming Licenses**

#### **IC 4-32.2-4-1**

##### **Authorized activities**

Sec. 1. A qualified organization may conduct the following activities in accordance with this article:

- (1) A bingo event.
- (2) A charity game night.
- (3) A raffle event.
- (4) A door prize event.
- (5) A festival.
- (6) The sale of pull tabs, punchboards, and tip boards.
- (7) Any other gambling event approved by the commission.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-2**

##### **License requirement**

Sec. 2. Except as provided in section 3 of this chapter, a qualified organization must obtain a license under this chapter to conduct an allowable event.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-3**

##### **Exceptions to license requirement; notice requirement; record keeping**

Sec. 3. (a) A qualified organization is not required to obtain a license from the commission if the value of all prizes awarded at the bingo event, charity game night, raffle event, or door prize event, including prizes from pull tabs, punchboards, and tip boards, does not exceed one thousand dollars (\$1,000) for a single event and not more than three thousand dollars (\$3,000) during a calendar year.

(b) A qualified organization described in subsection (a) that plans to hold a bingo event more than one (1) time a year shall send an annual written notice to the commission informing the commission of the following:

- (1) The estimated frequency of the planned bingo events.
- (2) The location or locations where the qualified organization plans to hold the bingo events.
- (3) The estimated amount of revenue expected to be generated by each bingo event.

(c) The notice required under subsection (b) must be filed before the earlier of the following:

- (1) March 1 of each year.
- (2) One (1) week before the qualified organization holds the first bingo event of the year.

(d) A qualified organization described in subsection (a) shall maintain accurate records of all financial transactions of an event conducted under this section. The commission may inspect records kept in compliance with this section.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-4**

##### **License applications**

Sec. 4. (a) Each organization applying for a bingo license, a special bingo license, a charity game night license, a raffle license, a door prize drawing license, a festival license, or a license to conduct any other gambling event approved by the commission must submit to the commission a written application on a form prescribed by the commission.

(b) Except as provided in subsection (c), the application must include the information that the commission requires, including the following:

- (1) The name and address of the organization.
- (2) The names and addresses of the officers of the organization.
- (3) The type of event the organization proposes to conduct.
- (4) The location where the organization will conduct the allowable event.
- (5) The dates and times for the proposed allowable event.
- (6) Sufficient facts relating to the organization or the organization's incorporation or founding to enable the commission to determine whether the organization is a qualified organization.
- (7) The name of each proposed operator and sufficient facts relating to the proposed operator to enable the commission to determine whether the proposed operator is qualified to serve as an operator.
- (8) A sworn statement signed by the presiding officer and secretary of the organization attesting to the eligibility of the organization for a license, including the nonprofit character of the organization.
- (9) Any other information considered necessary by the commission.

(c) This subsection applies only to a qualified organization that conducts only one (1) allowable event in a calendar year. The commission may not require the inclusion in the qualified organization's application of the Social Security numbers of the workers who will participate in the qualified organization's proposed allowable event. A qualified organization that files an application described in this subsection must attach to the application a sworn statement signed by the presiding officer and secretary of the organization attesting that:

- (1) the workers who will participate in the qualified organization's proposed allowable event are eligible to participate under this article; and
- (2) the organization has not conducted any other allowable events in the calendar year.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-5**

**Issuance of license; hearings authorized; protest procedures; reissuance**

Sec. 5. (a) The commission may issue a bingo license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the qualified organization:
  - (A) submits an application; and
  - (B) pays a fee set by the commission under IC 4-32.2-6.

(b) The commission may hold a public hearing to obtain input on the proposed issuance of an annual bingo license to an applicant that has never held an annual bingo license under this article.

(c) The first time that a qualified organization applies for an annual bingo license, the commission shall publish notice that the application has been filed. The notification must be in accordance with IC 5-14-1.5-5 and must contain the following:

- (1) The name of the qualified organization and the fact that it has applied for an annual bingo license.
- (2) The location where the bingo events will be held.
- (3) The names of the operator and officers of the qualified organization.
- (4) A statement that any person can protest the proposed issuance of the annual bingo license.
- (5) A statement that the commission shall hold a public hearing if ten (10) written and signed protest letters are received by the commission.
- (6) The address of the commission where correspondence concerning the application may be sent.

(d) If the commission receives at least ten (10) protest letters, the commission shall hold a public hearing in accordance with IC 5-14-1.5. The commission shall issue a license or deny the application not later than sixty (60) days after the date of the public hearing.

(e) A license issued under this section:

- (1) may authorize the qualified organization to conduct bingo events on more than one (1) occasion during a period of one (1) year;
- (2) must state the locations of the permitted bingo events;
- (3) must state the expiration date of the license; and
- (4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

(f) Notwithstanding subsection (e)(4), the commission shall hold a public hearing for the reissuance of an annual bingo license if:

- (1) an applicant has been cited for a violation of law or a rule of the commission; or
- (2) the commission finds, based upon investigation of at least three (3) written and signed complaints alleging a violation of law or a rule of the commission in connection with the bingo license, that one (1) or more of the alleged violations:

- (A) has occurred;
- (B) is a type of violation that would allow the commission to cite the applicant for a violation of a provision of this article or of a rule of the commission; and
- (C) has not been corrected after notice has been given by the commission.

(g) If the commission is required to hold a public hearing on an application for a reissuance of an annual bingo license, it shall comply with the same procedures required under this section for notice and for conducting the hearing.

(h) The commission may deny a license if, after a public hearing, the commission determines that the applicant:

- (1) has violated a local ordinance; or
- (2) has engaged in fraud, deceit, or misrepresentation.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-6**

##### **Special bingo license**

Sec. 6. The commission may issue a special bingo license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a bingo event at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the authorized bingo event.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-7**

##### **Charity game night license**

Sec. 7. The commission may issue a charity game night license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a charity game night at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the charity game night.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-8**

##### **Raffle license**

Sec. 8. (a) The commission may issue a raffle license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a raffle event at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the raffle event.

(b) A qualified organization, by rule of the commission, may be excused from the requirement of obtaining a license to conduct a raffle event if the total market value of the prize or prizes to be awarded at the raffle event does not exceed one thousand dollars (\$1,000).

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-9**

##### **Annual raffle license**

Sec. 9. The commissioner may issue an annual raffle license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct not more than five (5) raffle events in the calendar year in which the license is issued; and
- (2) state the date, beginning and ending times, and location of each raffle event conducted by the qualified organization in the calendar year.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-10**

##### **Door prize license**

Sec. 10. (a) The commission may issue a door prize license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct a door prize event at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the door prize event.

(b) A qualified organization, by rule of the commission, may be excused from the requirement of obtaining a license to conduct a door prize event if the total market value of the prize or prizes to be awarded at the door prize event does not exceed one thousand dollars (\$1,000).

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-11**

##### **Annual door prize license**

Sec. 11. (a) The commission may issue an annual door prize license to a qualified organization if:

- (1) the provisions of this section are satisfied; and
- (2) the qualified organization:
  - (A) submits an application; and
  - (B) pays a fee set by the commission under IC 4-32.2-6.

(b) The application for an annual door prize license must contain the following:

- (1) The name of the qualified organization.
- (2) The location where the door prize events will be held.

(3) The names of the operator and officers of the qualified organization.

(c) A license issued under this section:

(1) may authorize the qualified organization to conduct door prize events on more than one (1) occasion during a period of one (1) year;

(2) must state the locations of the permitted door prize events;

(3) must state the expiration date of the license; and

(4) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee set by the commission.

(d) The commission may reject an application for an annual door prize license if, after a public hearing, the commission determines that the applicant:

(1) has violated a local ordinance; or

(2) has engaged in fraud, deceit, or misrepresentation.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-12**

##### **Festival license**

Sec. 12. (a) The commission may issue a festival license to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must authorize the qualified organization to conduct bingo events, charity game nights, one (1) raffle event, and door prize events and to sell pull tabs, punchboards, and tip boards. The license must state the location and the dates, not exceeding four (4) consecutive days, on which these activities may be conducted.

(b) A qualified organization may not conduct more than one (1) festival each year at which bingo events, charity game nights, raffle events, and door prize events are conducted and pull tabs, punchboards, and tip boards are sold.

(c) The raffle event authorized by a festival license is not subject to the prize limits set forth in this chapter. Bingo events, charity game nights, and door prize events conducted at a festival are subject to the prize limits set forth in this chapter.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-13**

##### **Additional activities authorized**

Sec. 13. (a) A bingo license or special bingo license may also authorize a qualified organization to conduct door prize drawings and sell pull tabs, punchboards, and tip boards at the bingo event.

(b) A charity game night license may also authorize a qualified organization to conduct door prize drawings and sell pull tabs, punchboards, and tip boards at the charity game night.

(c) A raffle license may also authorize a qualified organization to conduct door prize drawings and sell pull tabs, punchboards, and tip boards at the raffle event.

(d) A door prize license may also authorize a qualified organization to sell pull tabs, punchboards, and tip boards at the door prize event.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-14**

##### **Multiple licenses**

Sec. 14. A qualified organization may hold more than one (1) license at a time. However, a qualified organization with multiple licenses may not hold a bingo event and raffle at the same event or at the same time and place unless, by express determination, the commission allows a qualified organization to do so. The commission may allow a qualified organization to conduct only one (1) event each year at which both bingo and a raffle may be held.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-15**

##### **Prohibition on limiting the number of organizations licensed**

Sec. 15. The commission may not limit the number of qualified organizations licensed under this article.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-16**

##### **Other events authorized; conditions**

Sec. 16. (a) This section applies to a gambling event that is described in neither:

- (1) section 1(1) through 1(6) of this chapter; nor
- (2) IC 4-32.2-2-12(b).

(b) The commission may issue a license to conduct a gambling event approved by the commission to a qualified organization upon the organization's submission of an application and payment of a fee determined under IC 4-32.2-6. The license must:

- (1) authorize the qualified organization to conduct the gambling event at only one (1) time and location; and
- (2) state the date, beginning and ending times, and location of the gambling event.

(c) The commission may impose any condition upon a qualified organization that is issued a license to conduct a gambling event under this section.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-17**

##### **Worker Social Security numbers**

Sec. 17. A qualified organization described in section 4(c) of this chapter may not require an individual who wishes to participate in the qualified organization's allowable event as a worker to submit the individual's Social Security number to the qualified organization.

*As added by P.L.91-2006, SEC.3.*

#### **IC 4-32.2-4-18**

**Candidates' committees authorized to obtain raffle licenses**

Sec. 18. (a) With respect to any action authorized by this section, a candidate's committee (as defined in IC 3-5-2-7) is considered a bona fide political organization.

(b) A candidate's committee may apply for a license under section 8 of this chapter to conduct a raffle event. A candidate's committee may not conduct any other kind of allowable event.

(c) The following are subject to this article:

(1) A candidate's committee that applies for a license under section 8 of this chapter.

(2) A raffle event conducted by a candidate's committee.

*As added by P.L.91-2006, SEC.3.*